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2011 MAY 31 AM 11:29
U.S. DISTRICT COURT
DISTRICT OF NEVADA
BY DEPUTY

1 ELLERY J PETTIT
2 6868 SKYPOINTE DR. #2136
3 LAS VEGAS, NV 89131
4 Telephone (702) 788-6099
Plaintiff(s) in Proper Person

5 UNITED STATES DISTRICT COURT
6 District of NEVADA

7 ELLERY J PETTIT)
8 Plaintiff) Case No.: 2:11-cv-00149-GMN-PAL
9 vs.)
10 PULTE MORTGAGE LLC and) Opposition To Defendants IBM LENDER
11 CHASE BANK and) BUSINESS PROCESS SERVICES and MERS
12 CHASE HOME FINANCE LLC and) Motion To Expunge Lis Pendens
13 IBM LENDER BUSINESS PROCESS)
14 SERVICES and)
15 MERS (Mortgage Electronic Registration System)

Defendant(s)

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18 Introduction

19 On January 28th, 2011, the Plaintiff filed a Lis Pendens on the property located at 6868 Sky Pointe Dr.
20 #2136, Las Vegas, NV, 89131. This was concurrent with his filing of the above entitled case. The paramount
21 fundamental issue in the action is Holder in Due course. To date the defense has not filed any documents showing
22 standing with the court, in fact the only documents the Defense had submitted they withdrew, a month later. (Dkt.
23 15) The Plaintiff has not filed this action to prevent foreclosure. Plaintiff's Complaint clearly states "this action
24 seeks to prevent the collection of an improper debt" and "to prevent double paying this bank on the debt and/or pay
25 the wrong party and/or prevent the possible wrongful taking of the family home by a bank no longer having a right
26 to foreclose or collect on it."
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2 Conclusion
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5 The issue of Holder in Due Course has not been resolved. The Defense's request for Lis Pendens
6 expunging should be rejected until the resolution of the above entitled action.
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9 Date: May 31, 2011
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Ellery J. Pettit
Plaintiff
In Proper Person

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2 Certificate of Mailing
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4 I, Ellery J. Pettit, hereby certify that a copy of the Opposition to Defendants IBM Lender
5 Business Process Services and MERS Motion to Expunge filed on the 16th day of May, 2011, in
6 the above-entitled case was mailed by me on May 31st, 2011 by depositing copies thereof in a
7 sealed envelope, first-class postage prepaid, in the United States mail, to

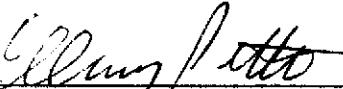
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21 Dated: May 31, 2011


22 Ellery J. Pettit
23 Plaintiff
24 In Proper Person